

Statement

CAI CT and I, Pamela Bowman, Condominium Resident, CMCA and CAI-CT Board Secretary, support the passage of H.B. 7011 with an amendment that specifically addresses the problems with animals on community association property.

This bill would provide the needed authority for animal control officers to impound dogs and cats from common elements of condominium associations. Unfortunately some animal control officers do not respond nor feel they have jurisdiction to remove the animals from the property. This creates a problem when associations have done everything within their power to remedy the situation but continue to need the assistance in removing the animal from the property.

Many associations have experienced the problem of roaming animals, vicious, contentious and sometimes feral and when contacted, animal control officers have stated that they do not have the authority to go onto private community association property. The proposed bill would allow for enhanced public safety in all communities.

Purpose of the amendments.

The provisions of Chapter 435 of the Connecticut General Statutes were not drafted in a way that fully addresses problems of animals on the common elements of a common interest community.

For example, Section 22-364 provides that dog owners may not allow their dogs to roam “upon land of another.” Section 22-232 empowers animal control officers to impound dogs that are roaming in violation of Section 22-364. In 1975, the Connecticut Attorney General issued an opinion in which he concluded that animal control officers have no authority to impound the dog of a resident or unit owner of a condominium that is roaming loose on the common elements, because the unit owner shares an ownership interest in the common elements.

While this conclusion is technically correct, the result is contrary to public safety, and illustrates how Chapter 435 does not take into consideration animals in common interest communities. It is imperative we get this clarified so residents feel safe and animal control officers have a clear understanding how to assist the communities in which they have authority.

Conclusion

We support H.B. 7011. CAI-CT believes this amendment will benefit the safety of all of our communities.